

OTHER REMARKS

In the outstanding Office Action, claims 35-80 and 92-101 were presented for examination. Claims 35, 41, and their dependent claims 36-40, 42-43 and 45-61 were rejected under 35 U.S.C. §101 as nonstatutory. Other rejections were made under 35 U.S.C. §112 to various of the claims.

The Office Action has been most carefully studied. In this amendment claims 35, 44-46, 48, 51-55, 58-60, 62, 64-66, 68-70, 72-76, 78 and 99-101 have been amended. The amended claims have been carefully written to meet the requirements for patentability. Accordingly, as will be discussed in detail below, it is believed that the application is clearly in condition for allowance.

Claims 100, 44, 64 and other relevant claims have been amended to overcome the minor typographical objections raised. A new abstract is filed herewith on a separate sheet revised to overcome the objections raised.

Claim Rejections 35 USC §101

The Office's grounds for rejection of claims 35 and 41 and their dependent claims are the same as were raised previously in the immediately prior Office action. Applicant responded to this rejection with reasoned arguments explaining how the claims in question meet the statutory requirements for patentability at pages 26-30 of the amendment filed 03 March 2005. The Office has not criticized these arguments. Accordingly, it is believed this rejection should be withdrawn for the reasons set forth in the last response.

Claim Rejections 35 USC §112 - First Paragraph

At page 12, lines 4-5, the specification explains that the payment draft

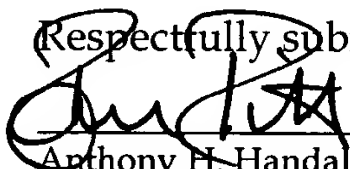
"is not immediately negotiable, because it is a *latent* draft which is for the moment inactive, becoming active when the triggering event occurs."

clearly providing a written description of this aspect of the claimed invention. No further amendment is believed necessary, but if the Office disagrees, applicant is willing to amend the specification at a later date.

Claim Rejections 35 USC §112 - Second Paragraph

Claims 35, 44 and 75 have been amended, without narrowing, to correct the minor deficiencies kindly pointed out by the Examiner.

In view of the above amendments and the discussion relating thereto, it is respectfully submitted that the instant application, as amended, is in condition for allowance. Such action is most earnestly solicited. If for any reason the Examiner feels that consultation with Applicant's representative would be helpful in the advancement of the prosecution, he is invited to call the telephone number below for an interview.

Respectfully submitted,
By: 
Anthony H. Handal
Reg. No. 26,275 Ph: (212) 536-4870
Roger Pitt
Reg. No. 46,996 Ph: (212) 536-4867

KIRKPATRICK & LOCKHART LLP
599 Lexington Avenue (33rd Floor)
New York, NY 10022-6030

Certificate of Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, postage prepaid, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 2, 2005.


Anthony H. Handal/Roger Pitt
Reg. No. 26,275/Reg. No. 46,996